

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MICHAEL VIGIL,

Plaintiff,

vs.

SOUTHERN NEVADA REGIONAL HOUSING
 AUTHORITY, *et al.*,

Defendants.

Case No. 2:15-cv-01738-APG-CWH

ORDER

Before the Court is Plaintiff Michael Vigil's ("plaintiff") Application for Leave to Proceed In Forma Pauperis (doc. # 1), filed September 10, 2015.

Pursuant to 28 U.S.C. § 1914(a), a filing fee of \$350.00 is required to commence a civil action in federal district court in addition to a \$50.00 administrative fee, effective May 1, 2013, for a total of \$400.00. The court may authorize the commencement of an action "without prepayment of fees and costs or security therefor, by a person who makes an affidavit that he is unable to pay such costs or give security therefore." 28 U.S.C. § 1915(a).

Plaintiff submitted the affidavit required by § 1915(a) to show that he is unable to prepay fees and costs or give security for them. However, a review of plaintiff's application reveals that he failed to fill out all letter items under number 3 of his application form. See Doc. # 1. Based on the documents attached to plaintiff's application, moreover, it appears plaintiff receives food stamps but failed to include this information in his application form. It also appears that plaintiff has received \$41,025.00 in social security benefits, as stated under number 2 of the application, but it is unclear to

1 the Court whether this amount is correct, and whether it was received on a yearly or other basis and
2 not on a monthly basis as plaintiff has alleged. Because the information provided for review is
3 incomplete and unclear, this Court is unable to determine whether plaintiff can afford the filing fee
4 required to pursue the instant action.


5 Accordingly, **IT IS HEREBY ORDERED** that plaintiff's Application for Leave to Proceed
6 In Forma Pauperis (doc. # 1) is **denied without prejudice**.

7 **IT IS FURTHER ORDERED** that the Clerk of Court shall mail plaintiff a blank Application
8 to Proceed In Forma Pauperis.

9 **IT IS FURTHER ORDERED** that plaintiff shall have until **Friday, October 9, 2015**, in
10 which to submit a completed application that includes the information discussed in this order, or to pay
11 the \$400.00 filing fee. Failure to comply with this order will result in a recommendation that this case
12 be dismissed. The Clerk of Court shall retain plaintiff's Complaint.

13 DATED: September 24, 2015

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C.W. Hoffman, Jr.
United States Magistrate Judge